

CV-17-HA-0301-W

*1983 Form

In the United States District Court
For the Northern District of Alabama

FILED
FEB 24 A 10:56
U.S. DISTRICT COURT
N.D. OF ALABAMA

MARK CALEB ENGLISH

A.R.S.# 253554

(Enter above the full name(s) of the
plaintiff(s) in this action)

v

BEBB CO. CORR. FACILITY

"WARDEN" WILLIE THOMAS

"WARDEN" DEBORAH TONEY

"WARDEN" WILLIE BENNETT

(Enter above full name(s) of the
defendant(s) in this action)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes () No (X)
- B. If your answer to A. is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiff(s): N/A

Defendant(s): N/A

2. Court (if Federal Court, name the district; if State Court, name the county)

N/A

3. Docket Number N/A

4. Name of judge to whom case was assigned N/A

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

N/A

6. Approximate date of filing lawsuit N/A

7. Approximate date of disposition N/A

II. Place of present confinement BERB COUNTY CORRECTIONAL FACILITY (SEC.)

- A. Is there a prisoner grievance procedure in this institution?

Yes ☒ No ☐

- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes ☐ No ☒

- C. If your answer is YES:

1. What steps did you take? N/A

2. What was the result? N/A

- D. If your answer is NO, explain why not? EVERY TIME SEC. BOUND COMES AROUND TO

MY CELL ON THURSDAYS I ASK FOR GRIEVANCE FORMS AND LEGAL KITS

BUT THEY NEVER HAVE ANYTHING I NEED AND THEY ALWAYS SAY THEY'LL

SEND SOME BACK DOWN BY AN OFFICER BUT THEY NEVER SEND THEM.

III. Parties

In item A below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

- A. Name of plaintiff(s) MARK CARR EGGLESH #253554

Address 565 BERB LAKE - DRENT, AL 35034

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

B. Defendant WILLIE THOMAS
is employed as WARDEN 3
at BEBB COUNTY CORRECTIONAL FACILITY

C. Additional Defendants DEBORAH TOWEY IS EMPLOYED AS WARDEN 2
AT BEBB COUNTY CORRECTIONAL FACILITY
WILLIE BENNETT IS EMPLOYED AS WARDEN 1 AT BEBB
COUNTY CORRECTIONAL FACILITY

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include, also, the names of other persons involved, dates and places. *Do not give any legal arguments or cite any cases or statutes.* If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

ALL THREE OF THESE WARDENS ARE WELL AWARE OF THE LIVING CONDI-
TIONS INSIDE THE SEGREGATION UNITS HERE AT BEBB COUNTY CORR.
FAC. THERE AREN'T ANY INTERCOMS TO HEAR OF THESE CELLS THAT WE
ARE FORCED TO LIVE IN. WHEN AN EMERGENCY OCCURS AND WE NEED
TO NOTIFY THE CUBE OFFICER WE HAVE TO BEAT ON THE DOORS AND SCREAM
FOR HOURS TO FINALLY GET THEM BACK HERE BUT MOST OF THE TIME THEY
JUST LET US BEAT AND SCREAM. THE OFFICERS NEVER COME TO CHECK ON
US TO MAKE SURE WE'RE ALIVE AND RESPONSIBLE. THE ONLY TIME AN
OFFICER COMES BACK HERE IS TO PASS US OUR TRAYS. THEY NEVER HAVE
CLEAN SPOONS FOR US TO EAT WITH, SO IF YOU DON'T HAVE A SPOON YOU
HAVE TO EAT WITH YOUR HANDS. THE SAME THING WITH CUPS TO DRINK OUT
OF. THEY NEVER COME BACK TO PICK THE DIRTY TRAYS UP, THEY JUST LET

THEY STAIR UP TO OUR CELLS UNTIL THE KITCHEN RUNS OUT OF THEM
AND THEY HAVE TO PICK THEM UP. BY THIS TIME THEY HAVE OLD SPORLED
FOOD ON THEM FROM DAYS AND WEEKS BEFORE, ALONG WITH ANTS, ROACHES
AND OTHER UNKNOWN SPECIES OF BUG'S ON THEM. THEY VERY RARELY
BRING CLEANING SUPPLIES AROUND TO LET US CLEAN OUR CELLS OUTSIDE
BEHIND A CELL OVER (4) MONTHS AND I HAVEN'T SEEN THE OFFICERS

V. RELIEF

(CONTINUED ON ATTACHED
SHEETS)

State briefly *exactly* what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I WANT THE COURT TO MAKE THESE OFFICERS ABIDE BY THE LAWS OF
THE CONSTITUTION OF ALABAMA AND UNITED STATES AND FORCE THEM
TO COMPENSATE ME FOR THE CRUEL AND UNUSUAL PUNISHMENT THESE
OFFICERS HAVE INFLECTED UPON MYSELF, AS WELL AS OTHERS, WHEN
THEY GET TIRED OF THIS TREATMENT AND BEING BULLIED AND COME
FORWARD WITH THEIR CLAIMS, NOTHING MORE OR NOTHING LESS.

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on 02-02-17
(date)

Mark Caleb English
A2371253554

Signature(s)

IV STATEMENT OF CLAIM (CONTINUED FROM PAGE 4 OF THE "1983 FORM")

SPRAY OR LET US SPRAY OUR TOILETS, SINKS AND TRAY SLOTS WITH BLEACH OR ANY KIND OF CLEANER/DISINFECTANT OR ANYTHING SIMILAR. WE NEVER GET TO USE A TOILET BRUSH TO CLEAN THE TOILET BOWLS OUT. I HAVE TO CLEAN ME UP WITH A PIECE OF MY DRY OFF TOWEL I RIPPED OFF, ALONG WITH MY SOAP & SHOWER WITH AND TOOTH PASTE BY HAND WITH NO GLOVES. I ALSO HAVE "FIRE ANTS" IN MY CELL I CAN'T GET RID OF. I'VE BASICALLY BEGGED EVERY OFFICER SGT. AND LT. I'VE SEEN THE PAST TWO WEEKS FOR SOME KIND OF BUG SPRAY, BLEACH OR ANYTHING THAT'LL KILL THEM BUT JUST LIKE WITH ALL THESE OTHER ISSUES IT'S STILL WAITING FOR IT TO BE ADDRESSED. THERE'S ALSO A $\frac{1}{4}$ INCH THICK STEEL PLATE WELDED OVER ALL THE CELL WINDOWS WITH 21 HOLES DRILLED ($\frac{3}{8}$ INCH IN DIAMETER) IN IT SO WE NEVER SEE/GET ANY FRESH AIR OR SUNLIGHT IN OUR CELLS. THERE'S "BLACK MOLD" ALL AROUND WHERE THE WINDOWS USED TO BE, ALSO AROUND THE TOILET, SINK, TRAY SLOTS AND IN THE SHOWER WE ARE FORCED TO USE. I SWEET A LOT AND KEEP A HEADACHE MOST OF THE TIME IN THIS CELL. THE RETURN AIR VENT DOESN'T WORK AT ALL AND THE AIR VENT BARELY BLOWS IN SOME CELLS AND NONE IN THE OTHERS. THERE'S NOWHERE TO STORE ANY OF YOUR PROPERTY UP OFF THE FLOOR, SO EVERYTHING YOU OWN (INCLUDING THE FEW FOOD ITEMS WE SOMETIMES PURCHASE OFF THE STORE) IS DIRECTLY ON THE MISTY FLOOR WHERE BUGS ARE AT ALONG WITH THE TRAYS THAT HAVE BEEN ACCUMULATED OVER THE DAY'S/WEEKS WITH ROTTEN FOOD ON THEM, WHICH ATTRACT THE ANTS AND OTHER BUGS TO MY CELL. ALL THE SPRINKLER HEADS HAVE BEEN REMOVED AND THE WATER PIPES CAPPED OFF, THEREFORE THEY'RE COMPLETELY USELESS. THERE'S NO WHERE TO HANG AND DRY YOUR FACE CLOTH AND DRY OFF TOWEL RESULTING IN THEM SOURING BEFORE THEY DRY, THERE'S NO FRESH AIR CIRCULATING THROUGH THE CELL JUST STALE AIR. WE MAY GO A MONTH WITHOUT EVER GETTING AN HOUR OF RECREATION TIME. IN UP EVERY MORNING READY TO GET MY HOUR BUT THEY COME AROUND AND TELL US THE WALKS BEEN CANCELLED DUE TO SHORT OF STAFF BUT THEY GOT 5 OR 6 SGT'S, AND LT'S STANDING OUTSIDE THE BAYS

HAVING A GOOD TIME WAITING ON THAT CLOCK TO SHOW QUATTING TRUE OR THEY'LL JUST LIE TO US AND TELL US IT'S RAINING. WHEN WE FINALLY DO GET TO WORK WE ONLY GET 15 OR 20 MINS, WE NEVER GET ANY SUNDAYS EVER THOUGH. I'VE WENT WITHOUT TISSUE (TOILET) FOR WEEKS AT A TIME. THEY NEVER GIVE US FRESH TOOTHBRUSHES. THE FLOOR DRAIN IN MY CELL IS COMPLETELY STOPPED UP. THE VENTILATION SYSTEM IN THE BLOCK, OUTSIDE THE CELLS DOESN'T WORK. IT'S ALSO STOPPED UP WITH DUST AND SOOT. THE WALLS IN THE WIGET ARE COVERED IN SOOT FROM WOMEN - EATING FIRE TO GET AN OFFICER BACK HERE. THE SMOKE DETECTOR DOESN'T WORK. THERE'S OLD DRIED UP FOOD ALL OVER THE WALLS THAT'S BEEN THERE FOR MONTHS. THE SEC. SHOWER NEVER GETS CLEANED. I'VE OFFERED TO CLEAN IT FOR US FOR THE SIMPLE FACT THERE'S NO SHORTAGE OF "BLACK MOLD" ALL OVER THE PLACE IN THERE AND I DON'T WANT TO GET SICK FROM IT, I MEAN IT'S HORRIBLE THE STUFF IS EVERYWHERE FROM THE FLOOR TO THE CEILING. BUT THEY REFUSE TO LET US CLEAN WHERE WE'LL BE CAGED IN TO LIVE AND SHOWER. ALSO, THERE'S NO HOOKS OR SHELVES IN THE SEC. SHOWER TO HANG OR SET YOUR CLEAN DRY CLOTHES AND TOWELS NOR IS THERE A SOAP DISH HOLDER IN THERE, SO YOU HAVE TO SET YOUR HYGIENE ON THAT NASTY FLOOR THAT DON'T DRAIN PROPERLY. SOME OF THE SEC. CELL DOORS DON'T OPEN WHEN THE KEYS ARE INSERTED AND THEN THE OFFICERS HAVE TO MESS WITH THEM SOMETIMES UP TO 15 OR 20 MINUTES BEFORE THEY CAN GET THESE CERTAIN DOORS TO UNLOCK SO IF THERE IS A LIFE THREATENING SITUATION WHETHER IT'S YOUR HEALTH HAZARD OR IF SOMEONE SETS A FIRE TO GET AN OFFICER TO COME BACK HERE IT'S A GOOD POSSIBILITY YOU'LL DIE BEFORE YOUR CELL DOOR WILL UNLOCK AND WE TELL THE SUPERVISORS ALL THE TIME THEY NEED TO GET MAINTENANCE DOWN HERE TO HAVE THEM FIXED PROPERLY BECAUSE I DON'T SET FIRES SO I DON'T WANT A GET TRAPPED IN MY CELL AND DIE FROM AN INMATE SETTING THIS FIRE BECAUSE YALL WON'T DO NOTHING YALL ARE REQUIRED TO DO FOR US. LIKE... THE OFFICERS WON'T CALL OUR MENTAL HEALTH COUNSELORS WHEN WE REQUEST TO SEE THEM. I'VE EVEN TOLD A FEW OF THE OFFICERS I WAS SUICIDAL THAT I REALLY NEEDED TO

SEE MY COUNSELOR BEFORE I HURT MYSELF AND EVERY SINGLE ONE OF THEM LAUGHED AND SAID "GO AHEAD PLEASE DO ILL MAKE SURE YOU'RE DEAD BEFORE I CUT YOU DOWN OR GET YOU TO THE INFIRMARY" AS A MATTER OF FACT IT WAS A SGT. THAT MADE THIS COMMENT. ALL THEY WANT TO DO IS GET TO THAT CUBE WITH THE CUBE OFFICER AND SLEEP. THEY GOT CAMERAS EVERYWHERE BUT THE CUBES, THEY SHOULD BE MADE TO ABIDE BY THE LAW AND HELD ACCOUNTABLE FOR THEIR COMMITTING ILLEGAL OFFENSES. SICK CALLS ARE FORGOTTEN HERE AT BERB IN SEG. THEY ARE SO LAZY AND ABSENT Minded THEY WILL TELL HEALTH-CARE YOU REFUSED JUST SO THEY DON'T HAVE TO WAKE UP AND TRANSPORT/ESCORT YOU NO MORE THAN 100 YARDS TO YOUR APPOINTMENT THERE'S A LADY THAT WORKS FOR CORRISON (Ms. P. CLARKE) SHE'S ALSO THE BOSS LADY UP THERE AND SHE'LL TESTIFY TO THIS STATEMENT. IVE ALSO GOT AN ADLOC. OFFICER THAT'LL TESTIFY TO A LOT OF THIS STATEMENT BECAUSE HE SEE'S FIRST HAND HOW ZOOH-MADE WE ARE BEING TREATED. HER NAME AND TITLE ARE (C/O J. JACOB RAY HALL) HE TOLD ME HE'D TESTIFY ON MY BEHALF IF NEEDED BECAUSE "SOMETHING NEEDS TO BE DONE BEFORE MORE INNOCENT PEOPLE DIE". WE ARE TREATED WORSE THAN NEGLIGENTLY CAGED ANIMALS SOMETHING NEEDS TO BE DONE ABOUT THESE LOUSY CONDITIONS, AS WELL AS THE MENTAL AND PHYSICAL ABUSE BROUGHT FORTH BY OFFICERS WHO ARE PAID GOOD TO MAKE SURE ALL ZOO-MATES ARE SAFE AND HEALTHY WHILE SERVING HARD LABOR TO/FOR THE STATE OF ALABAMA. ALL THIS IS MOD-ERN DAY SLAVERY! PLEASE HELP US WIN OUR CIVIL RIGHTS BACK AND BE COMPENSATED FOR THE PERMANENT DAMAGES DONE TO MY MIND, BEING TORTURED BY OFFICERS WHO ARE ALL ACTING UNDER THE COLOR OF LAW, WHEN THEY INTENTIONALLY SHOWED A DELIBERATE DISREGARD TO THE PLAINTEXT SAFETY BY ENFORCING CRUEL AND UNUSUAL PUNISHMENT AS GUARANTEED BY THE UNITED STATES AND ALABAMA CONSTITUTIONS.

X Mark Caleb English 2-2-17